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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	No. CR 05-00339 JSW
	)	
Plaintiff,	)	
	)	
v.	)	STIPULATION AND <del>PROPOSED</del>
	)	ORDER EXCLUDING TIME FROM
PEDRO ALEXANDER PALACIOS,	)	OCTOBER 6, 2005 TO OCTOBER 27,
	)	2005 FROM THE SPEEDY TRIAL ACT
Defendant.	)	CALCULATION (18 U.S.C.
	)	§ 3161(h)(8)(A))

The parties appeared before the Court on October 6, 2005. With the agreement of the parties, and with the consent of the defendant, the Court enters this order scheduling a status hearing on October 27, 2005, at 2:30 p.m., and documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A), from October 6, 2005 to October 27, 2005. The parties agreed, and the Court found and held, as follows:

1. The parties agreed to an exclusion of time under the Speedy Trial Act. Failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking into account the imminent appointment of advisory counsel for the defendant and counsel's need to subpoena documents from the California Department of

Corrections, and would deny the defendant continuity of counsel.

2. Given these circumstances, the Court found that the ends of justice served by excluding the period from October 6, 2005 to October 27, 2005, outweigh the best interest of the public and the defendant in a speedy trial. Id. § 3161(h)(8)(A).

3. Accordingly, and with the consent of the defendant, the Court ordered that the period from October 6, 2005 to October 27, 2005, be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

5. The parties will appear at a status hearing on October 27, 2005, at 2:30 p.m.

IT IS SO STIPULATED.

DATED: 10/11/05

/s/  
TRACIE L. BROWN  
Assistant United States Attorney

DATED: 10/11/05

/s/  
WILLIAM WEINER  
Attorney for Pedro Alexander Palacios

IT IS SO ORDERED.

DATED: October 14, 2005

  
THE HON. JEFFREY S. WHITE  
United States District Judge